

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CitiMortgage Inc,

Plaintiff,

v.

Robert A. and Brandis D. Geddes,

Defendants.

CASE NO. C15-5293-RBL

ORDER REGARDING PLAINTIFF'S  
MOTION FOR INJUNCTION

DKT. #74

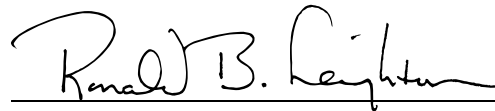
THIS MATTER is before the Court on Plaintiff CitiMortgage's Motion for an Injunction Pending Appeal [Dkt. #72]. CitiMortgage asks the Court to enjoin Rob and Brandis from selling their Graham, Washington property until the Ninth Circuit has considered whether CitiMortgage has a lien against it. Both parties agree the Court could alternatively preserve CitiMortgage's potential interest in the property's sale proceeds by conditioning a sale on Rob and Brandis escrowing \$299,953 (CitiMortgage's potential lien interest) during the pendency of appeal.

To obtain a preliminary injunction, the moving party must show: (1) a likelihood of success on the merits; (2) a likelihood of irreparable harm in the absence of preliminary relief; (3) that a balance of equities tips in its favor; and (4) that an injunction is in the public interest. *See Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20, 129 S. Ct. 365 (2008).

1 CitiMortgage could experience irreparable harm if Rob and Brandis sell their property  
2 before the Ninth Circuit considers CitiMortgage's interest in it. Conversely, an injunction  
3 prohibiting Rob and Brandis from selling their property would unduly burden them.  
4 CitiMortgage's Motion for an Injunction [Dkt. #74] is DENIED, but if Rob and Brandis sell the  
5 property before the case is resolved, they must escrow \$299,953 of the net sale proceeds.

6 IT IS SO ORDERED.

7 Dated this 25<sup>th</sup> day of April, 2016.

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10 Ronald B. Leighton  
United States District Judge  
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